

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

**DAVID BOLTON**

**Plaintiff,**

**v.**

**LOUISVILLE LADDER, INC. f/k/a  
LOUISVILLE LADDER GROUP, LLC,**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**NO. 2-08CV-209-J**

**APPENDIX IN SUPPORT OF DEFENDANT, LOUISVILLE LADDER, INC.'S REPLY  
BRIEF TO PLAINTIFF'S RESPONSE TO MOTION TO EXCLUDE  
THE TESTIMONY OF STANLEY KISKA**

**NOW INTO COURT,** through undersigned counsel, comes Defendant, Louisville Ladder, Inc. ("Louisville Ladder") which respectfully submits this Appendix in support of its Reply Brief to Plaintiff's Response to Motion to Exclude the Testimony of Stanley Kiska. Louisville Ladder submits this Appendix which contains Bates numbers 258 through 275 more fully described below:

Bates No.	Range	Description
-----------	-------	-------------

258 - 275		Excerpt from the Transcript of Video Deposition of Stanley Kiska before the Honorable C. Clifford Shirley, Jr. in <i>Walker v. Louisville Ladder, Inc.</i> dated January 23, 2009.
-----------	--	--

Respectfully submitted:

/s/ Francis H. Brown, III, Esq.

Francis H. Brown, III

[fbrown@frilot.com](mailto:fbrown@frilot.com)

(Tx. Bar # 24026662; and La. Bar #16831)

Eugene Terk

[eterk@frilot.com](mailto:eterk@frilot.com)

(Tx. Bar # 24028037; and La. Bar #28834)

FRILOT L.L.C.

1100 Poydras Street, Suite 3600

New Orleans, LA 70163-3600

Telephone: (504) 599-8012

Facsimile: (504) 599-8112

- and -

RUSSELL J. BAILEY (Tx. Bar #01536500 )

COURTNEY, COUNTISS, BRIAN & BAILEY, LLP

1700 Chase Tower (79101)

P.O. Box 9238

Amarillo, TX 79105-9238

Telephone: (806) 372-5569 ex. 304

Facsimile: (806) 372-9761

[rbailey@courtneylawfirm.com](mailto:rbailey@courtneylawfirm.com)

**COUNSEL FOR DEFENDANT,  
LOUISVILLE LADDER, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on August 12, 2009 I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to the following:

John G. Turner, III  
Mullin Hoard & Brown, L.L.P.  
P.O. Box 31656  
Amarillo, Texas 79120-1656  
***Counsel for Plaintiff***

/s/ Francis H. Brown, III  
Francis H. Brown, III, Esq.